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10/777,289	02/11/2004	David M. Hilbert	FX/A3003	5294
23910 7590 01/24/2007 FLIESLER MEYER LLP 650 CALIFORNIA STREET 14TH FLOOR SAN FRANCISCO, CA 94108			EXAMINER KIM, PAUL	
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SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/777,289	Applicant(s) HILBERT ET AL.	
	Examiner Paul Kim	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 and 38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 and 38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/8/05</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This Office action is responsive to the following communication: Amendment filed on 13 November 2006.
2. Claims 1-36 and 38 are pending and present for examination. Claims 1, 8, 15, 22, 26 and 32 are independent.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 8 April 2005 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-6, 8-13, 15-20, 22-35, and 38** are rejected under 35 U.S.C. 102(e) as being anticipated by Hilbert et al (USPGPUB 2003/0088570, hereinafter referred to as HILBERT), filed on 5 November 2001, and published on 8 May 2003.

The applied reference has common inventors with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention

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disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

6. **As per independent claims 1, 15, 26, and 32, HILBERT teaches:**

A method for providing access to remotely stored files, the method comprising:

receiving an identifier from a user to an access server {See HILBERT, Para. 0063, wherein this reads over "inputting an identity of a user into a device portal of the multi-user document device"};

determining, by said access server, at least one login data associated with the user based on the identifier received, wherein each login data provides access to at least one of a plurality of file sources, said login data being stored on the access server {See HILBERT, Para. 0100, in step S3000, a determination is made whether or not the credentials of the user are okay"};

contacting by the access server each of said plurality of file sources and logging into each file source by the access server via the login data associated with each file source {See HILBERT, Para. 0033, wherein this reads over "using the user identification device to verify the user of a multi-user document device and accessing a personal portal associated with the user based on the verified identity of the user"; and Para. 102, wherein this reads over "the username, password and/or profile is used to access a database of personal resources, such as recent document files and e-mail"};

retrieving, from each of said plurality of file sources, information associated with at least one file recently accessed by the user and generating a single unified list of recently accessed files from all of the plurality of file sources {See HILBERT, Para. 0102, wherein this reads over "access a database of personal resources, such as recent document files and e-mail"};

generating an interface containing said unified list of recently accessed files from the plurality of file sources and present said interface to the user {See HILBERT, Para. 0102, wherein this reads over "the recent files, e-mail or other information from the personal resource database is added to the user interface of the multi-user document device as a personal portal"};

receiving changes from the user via the interface to at least one file in the unified list of recently accessed files {See HILBERT, Para. 0120, wherein this reads over "the faxed file is added to a recent file list to update the personal portal. Then, in step S8965, the fax number is added to the fax log to update the personal resources"}; and

propagating said changes to one or more appropriate file sources in said plurality of file sources by said access server, said appropriate file sources containing said at least one file {See HILBERT, Para. 0120, wherein this reads over "the faxed file is added to a recent file list to update the personal portal. Then, in step S8965, the fax number is added to the fax log to update the personal resources"}.

Additionally, the Examiner interprets the present claim to as having "one login data" providing access to "one of a plurality of file sources" as accorded by the present claim.

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7. **As per dependent claim 2, HILBERT teaches:**

The method of claim 1, further comprising presenting the user with an option of printing a file in the unified list {See HILBERT, Para. 0106, wherein this reads over "whether or not the user has selected a print function of the multi-user document device. If so, control continues to step S8350 where a personal print interface is generated"}.

8. **As per dependent claim 3, 23, 28, and 34, HILBERT teaches:**

The method of claim 1, wherein said at least one login data includes user names and passwords for each of the plurality of file sources {See HILBERT, Para. 0033, wherein this reads over "using the user identification device to verify the user of a multi-user document device and accessing a personal portal associated with the user based on the verified identity of the user"; and Para. 102, wherein this reads over "the username, password and/or profile is used to access a database of personal resources, such as recent document files and e-mail"}.

9. **As per dependent claims 4, 11, 18, 25, and 29, HILBERT teaches:**

The method of claim 1, wherein generating the list of recently accessed files comprises receiving a list of at least one recently accessed file from the file source {See HILBERT, Para. 0102, wherein this reads over "access a database of personal resources, such as recent document files"}.

10. **As per dependent claims 5, 12, 19, HILBERT teaches:**

The method of claim 1, wherein generating the list of recently accessed files comprise:

reading a time of last access for files stored on the file source {See HILBERT, Para. 0102, wherein this reads over "access a database of personal resources, such as recent document files"}; and

selecting a file according to its time of last access {See HILBERT, Para. 0103, wherein this reads over "a determination is made whether or not the user has selected a file"}.

11. **As per dependent claim 6, 13, 20, 30, and 35, HILBERT teaches:**

The method of claim 1, wherein generating the unified list of recently accessed files comprises:

determining an application available to the user {See HILBERT, Para. 0102, wherein this reads over "the username, password and/or profile is used to access a database or personal resources, such as recent document files and email"}; and

receiving from the file source a list of at least one file associated with the application {See HILBERT, Figure 7; and Para. 0079, wherein this reads over "the personal resources accessible via the personal portal may include previous interaction history, such as facsimile call logs"}.

12. **As per independent claim 8, HILBERT teaches:**

A system for providing access to remotely stored files, the system comprising:

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a client interface configured to receive an identifier from a user to an access server wherein said access server determines at least one login data associated with the user based on the identifier, each login data used for accessing at least one of a plurality of file sources {See HILBERT, See Figures 1-3; and Para. 0074, wherein this reads over "[a] user identification device is used to identify the user to the interface. In various embodiments, the user identification device may be a key entry associated with the user"}; and

a file selection generator configured to:

contact each of the plurality of file sources associated with the login data and log into each file source using said login data by the access server {See HILBERT, Para. 0079, wherein this reads over "the personal portal may include access to the various information resources provided by the device portal as well as personal resources such as documents/desktop resources, email and other information"}; and

retrieve information associated with files recently accessed by the user from each of the plurality of file sources {See HILBERT, Para. 0102, wherein this reads over "access a database of personal resources, such as recent document files and e-mail"}; and

generate a single unified list of recently accessed files from all of the plurality of file sources {See HILBERT, Para. 0079, wherein this reads over "the personal portal may include previous interaction history, such as facsimile call logs"}.

13. As per dependent claims 9 and 33, HILBERT teaches:

The system of claim 8, wherein the client interface is further configured to present the user with an option to view a file in the unified list {See HILBERT, Figures 9-12}.

14. As per dependent claims 10 and 17, HILBERT teaches:

The system of claim 9, wherein the list of recently accessed files comprises a list of most recently created files {See HILBERT, Para. 0102, wherein this reads over "access a database of personal resources, such as recent document files"}.

15. As per dependent claim 16, HILBERT teaches:

The computer program product of claim 15, wherein the computer code instructions further comprise providing the user with an option of transferring a file in the unified list to a system of the user or to another location {See HILBERT, Para. 0106, wherein this reads over "[t]he user may then operate the multi-user document device via the personal portal using the file" and "a determination is made whether or not the user has selected an e-mail function"}.

16. As per independent claim 22, HILBERT teaches:

A system for providing access to files, the system comprising:

A plurality of file servers storing files and a list of at least one recently accessed file {See HILBERT, Para. 0028, wherein this reads over "a portal server that generates a device portal based on at least one of any identity of a user"}; and

an access server configured to:

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receive an identifier from a user {See HILBERT, Para. 0063, wherein this reads over "inputting an identity of a user into a device portal of the multi-user document device"};

determine at least one login data associated with the user based on the identifier received, wherein each login data provides access to at least one of said plurality of file servers, said login data being stored on the access server {See HILBERT, Para. 0100, in step S3000, a determination is made whether or not the credentials of the user are okay"};

contact each of the plurality of file servers in response to receiving the identifier and automatically log into each file server by using said login data {See HILBERT, Para. 0079, wherein this reads over "the personal portal may include access to the various information resources provided by the device portal as well as personal resources such as documents/desktop resources, email and other information"}; and

retrieve the list of at least one recently accessed file from the plurality of file servers {See HILBERT, Para. 0079, wherein this reads over "the personal portal may include previous interaction history, such as facsimile call logs"}.

17. As per dependent claim 24, HILBERT teaches:

The system of claim 22, wherein the access server is further configured to provide the user with an option of emailing a file in the unified list to another location {See HILBERT, Para. 0081, wherein this reads over "[t]he personal portal may enable a unique interface for messaging such as e-mail communication"; and Para. 0106, wherein this reads over "a determination is made whether or not the user has selected an e-mail function of the multi-user document device"}.

18. As per dependent claim 27, HILBERT teaches:

The method of claim 26, further comprising presenting the user with an option of faxing a file in the unified list {See HILBERT, Para 0103, wherein this reads over "the user has selected a fax function of the multi-user document device"; and Para. 0120, wherein this reads over "the faxed file is added to a recent file list to update the personal portal"}.

19. As per dependent claims 31 and 38, HILBERT teaches:

The method of claim 26, further comprising presenting to the user a startup screen which includes a visual display representing the list of recently accessed files {See HILBERT, Figures 9-12}.

Claim Rejections - 35 USC § 103

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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21. **Claims 7, 14, 21, 36, and 37** are rejected under 35 U.S.C. 103(a) as being unpatentable over HILBERT, in view of Godlin et al (USPGPUB 2002/0161860, hereinafter referred to as GODLIN), filed on 31 October 2001, and published on 31 October 2002.

HILBERT teaches the limitations of claims 1-6, 8-13, 15-20, 22-35, and 38 for the reasons stated above.

HILBERT differs from the claimed invention in that HILBERT fails to specifically disclose a method of receiving changes to a copy of the file and transmitting the copy of the file to the file source (claims 7, 14, 21, 36, and 37).

22. **As per dependent claims 7, 14, 21, 36, and 37**, HILBERT, in combination with GODLIN teaches:

The method of claim 1, further comprising:

receiving changes to a copy of the file {See GODLIN, Para. 0147, wherein this reads over "[i]f the latest version is in the cache, the client will utilize the version stored in the cache. If there is a more recent version on the server, in step 446 the server sends and the client receives the delta ('diff') between the latest version, and the version that the client has cached"}; and

transmitting the copy of the file to the file source {See GODLIN, Para. 0147, wherein this reads over "[t]he client then reconstructs the latest version of the requested file in step 448. The client applies the diff pairs to the cached version serially and updates the vnum to the latest version"}.

The combination of inventions disclosed in HILBERT and GODLIN would disclose a method where changes to a copy of the file (e.g. the delta between the latest version and the version that the client has cached) are received, and the copy of the file transmitted to the file source (e.g. the client). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above invention suggested by HILBERT with GODLIN.

One of ordinary skill in the art would have been motivated to do this modification so that where changes are made to a file, the modified copy of the file is transmitted to the file source.

Response to Arguments

23. Applicant's arguments filed 13 November 2006 have been fully considered but they are not persuasive.

a. **Applicant's Arguments:**

i. Claim rejections under 35 U.S.C. 102(e)

Applicant asserts the argument that "Hilbert '570 fails to disclose an access server that receives an identifier, determines at least one login data for a user and automatically logs into each of a plurality of file sources by using the appropriate login data in order to retrieve files for the user, as defined in Claim 1" (See Amendment, page 14).

Applicant asserts the argument that "Hilbert '570 fails to disclose generating, by the access server, a single unified list of recently accessed files from all of the plurality of file sources, as defined in Claim 1" (See Amendment, page 15).

Applicant asserts the argument that "Hilbert '570 fails to disclose receiving changes from the user via the interface to at least one file in the unified list of recently accessed files and propagating those changes back to the appropriate file sources by the access server, as defined in Claim 1" (See Amendment, page 15).

ii. Claim rejections under 35 U.S.C. 103(a)

Applicant contends that the claims "are similarly neither anticipated by, nor obvious in view of the cited references" (See Amendment, page 17).

b. **Response to Arguments:**

i. Claim rejections under 35 U.S.C. 102(e)

As per Applicant's argument that "Hilbert '570 fails to disclose an access server that receives an identifier, determines at least one login data for a user and automatically logs into each of a plurality of file sources by using the appropriate login data in order to

retrieve files for the user, as defined in Claim 1," the Examiner respectfully disagrees. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., logging into each of a plurality of file sources) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). That is, claim 1, as rejected above, recites "at least one login data . . . wherein each login data provides access to at least one of a plurality of file sources." Therefore, claim 1, as recited would provide for a method wherein there is specifically one login data that provides access to one single file source, whereby the other file sources are inaccessible. Accordingly, such an interpretation of the claim would render the application of the prior art found in Hilbert '570 as proper.

As per Applicant's argument that "Hilbert '570 fails to disclose generating, by the access server, a single unified list of recently accessed files from all of the plurality of file sources, as defined in Claim 1," the Examiner respectfully disagrees. It is noted that where the one login data provides access to only one of a plurality of file sources, the method would only generate a unified list of recently accessed files from the single file source. Therefore, since there is only one file source accessible to pull data from, the unified list would only list those recent files of the one file source. Accordingly, such an interpretation of the claim would render the application of the prior art found in Hilbert '570 as proper, whereby Hilbert '570 discloses a method of using a username and password to access, via a personal portal, a database of personal resources, such as recent document files {See HILBERT, Para. 0102}.

As per Applicant's argument that "Hilbert '570 fails to disclose receiving changes from the user via the interface to at least one file in the unified list of recently accessed files and propagating those changes back to the appropriate file sources by the access

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server, as defined in Claim 1," the Examiner respectfully disagrees. It is noted that where recited claim allows for one login data to provide access to one of a plurality of files sources, the method would only propagate changes back to the single file source. Accordingly, such an interpretation of the claim would render the application of the prior art found in Hilbert '570 as proper, whereby Hilbert '570 discloses a method of adding data to logs such that the personal resources are updated {See HILBERT, Para. 0120}.

Accordingly, the claims rejections under 35 U.S.C. 102(e) are sustained.

ii. Claim rejections under 35 U.S.C. 103(a)

As per Applicant's contention that the claims "are similarly neither anticipated by, nor obvious in view of the cited references," it is noted that Applicant has not asserted any specific arguments in response to the rejections of the claims. Therefore, the rejections of claims 7, 14, 21, and 36 are sustained because Applicant has not presented any arguments for overcoming the rejections contained in the prior Office Action, dated 28 July 2006. Furthermore, by virtue of dependency, the rejections of Claims 7, 14, 21, and 36 are sustained for the reasons stated above in relation to Claims 1-6, 8-13, 15-20, 22-35, and 38.

Conclusion

24. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing

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date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Kim whose telephone number is (571) 272-2737. The examiner can normally be reached on M-F, 9am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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